

## FRAUD RATES INQUIRY ON

BASS OF FIGURES FANGLES UP THOSE PRESENT.

Cross-examination of J. T. Leary, general auditor of the Baltimore and Ohio, takes up most of the day.

—Railroad Men and Lawyers Attend.

Such an array of legal talent and such a crowd of railroad men and shippers came yesterday morning that the rooms of the Board of Trade and Transportation proved too small for the Interstate Commerce hearing on the suspended advance in Eastern railroad freight rates. Special Examiner George N. Brown of the Interstate Commerce Commission, who with his assistants, J. H. Hylton, had charge of the hearing, immediately ordered an adjournment until 1 o'clock, when the hearing began in the Auditor gallery of the Waldorf.

This hearing was set originally for August 15 and then postponed, because the carriers involved said that they were not ready to proceed. The first day's proceedings were largely taken up with the examination of J. T. Leary, general auditor of the Baltimore and Ohio Railroad system. Mr. Leary's direct examination was brief. His cross-examination was different and counsel and bench were weary of figures and details that at the end of the testimony Examiner Brown ordered a seven minute adjournment so that everybody could gather strength for what was to come.

Only one railroad president was noticed in the gathering yesterday, and that was Daniel Willard of the Baltimore and Ohio, with whom was George Randolph, vice-president, in charge of traffic. Hugh Bond, general counsel; C. S. Wright, traffic manager, and J. T. Leary, general auditor of the New York Central, were represented by C. F. Daly, vice-president in charge of traffic; Clyde Brown, general auditor; O. E. Butterfield, assistant general auditor; and R. M. Huddleston, general auditor of the New York Central lines west of Chicago. The Pennsylvania had John B. Thayer, vice-president in charge of traffic; George D. Dixon, freight traffic manager; E. P. Bates, general freight agent; R. L. Cowen, general auditor; C. M. Bunting, controller, and a number of lesser lights. Pennsylvania lines West were represented by D. T. McCabe, vice-president, and W. L. Hogden, freight traffic manager.

The other railroads represented were the Delaware, Lackawanna and Western, Lehigh Valley, Erie, Grand Trunk, Pittsburgh and Lake Erie, the Big Four, Michigan Central, Wabash, New York, New Haven and Hartford, Chesapeake and Ohio, and Norfolk and Western. All these had numerous representatives of the traffic and accounts departments.

The principal counsel for the shippers are Francis B. James of Cincinnati and John H. Atwood of Kansas City, representing the shippers' committee recently formed at Chicago. Clifford T. Brown, representing the Corn Belt Grain Dealers Association, Louis Brandeis, who cross-examined Secretary Ballinger at the Congress inquiry in Washington and who represents the Seaboard Shippers organization, which included the Chambers of Commerce of New York, Philadelphia, Baltimore, Boston and New Haven, the Merchants Association of New York, and a dozen similar organizations in smaller cities. Besides these were present numerous counsel for various shipping organizations. In addition there were present scores of members of various commercial associations in the East and middle West.

At the beginning of the hearing Clyde Brown announced in behalf of carriers represented that they would begin the presentation of evidence by the introduction of evidence showing first the amount of the increases in wages made or to be made as a result of recent agreements or attractions, and, second, the amounts of the increases in freight rates which will be produced by the application of the proposed increases in freight rates.

"Estimates of these important items," said Mr. Brown, "have been made by carriers operating 55,515 miles of railroad in the territory between the Atlantic seaboard and the Pacific coast, of which Potomac and Ohio rivers. These estimates are based upon the basis of annual traffic movement and freight rates. The combined factors of increased wages and increases in freight rates produce an increase of approximately \$2,000,000. The increase in wages on the Baltimore and Ohio carriers making those estimates for the calendar year 1909 was approximately \$250,000."

Mr. Brown said that the estimates of the individual carriers and the methods by which they were made would appear in the evidence about to be introduced, and then Hugh Bond, general counsel for the Baltimore and Ohio, called Mr. Leary to the stand.

Mr. Leary testified that the advanced rates would produce an estimated additional income of \$2,000,000 for the Baltimore and Ohio system. The increase in wages on the Baltimore and Ohio carriers making those estimates for the calendar year 1909 was approximately \$250,000. Mr. Leary said that the estimates of the individual carriers and the methods by which they were made would appear in the evidence about to be introduced, and then Hugh Bond, general counsel for the Baltimore and Ohio, called Mr. Leary to the stand.

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## CARRIAGE REPAIR CHECKS

MAY SWEARS HE PAID ILLINOIS CENTRAL OFFICIALS.

Identifies Paper Made Payable to Those Who Initiated Apparent \$500,000 Dividends \$27,500 Capital Paid in Two Years—Haven Got His Share.

Chicago, Sept. 7.—Startling revelations regarding the history of the treasury of the Illinois Central Railroad by means of a repair checks in which the late Ira G. Rawn was mentioned as one of the chief beneficiaries, were made today in Municipal Judge Bruggemeyer's court by F. H. Niles, former president of the Blue Island Car Equipment Company.

Niles declared that in a little more than two years the company was able to pay \$500,000 in dividends on an original capital of \$27,500. Padded bills, each of which was issued for \$500,000, were furnished to the Illinois Central, according to Niles, for the distribution of huge sums among Rawn and the other stockholders.

Scores of checks were introduced as part of the evidence by Walter L. Fisher, special counsel for the Illinois Central, and all of them were identified by Niles as having been issued by him at different times to various Illinois Central officials in payment for dividends on their stock.

Subterfuges resorted to by former Illinois Central officers to conceal their connection with the car company that is alleged to have defrauded the railroad were bared by Niles.

The witness declared that stock in the car repair corporation owned by Rawn and Frank B. Harriman, former general managers of the Illinois Central, J. M. Taylor, its former stockholder, and C. L. Ewing, its former general superintendent, was placed in his name as a result of instructions issued by Taylor.

It also was declared that Niles, who acted as a collector of dividends for Rawn and Harriman, that he was succeeded in that capacity for a time by Ewing, and that afterward Charles F. Rawn, a former employee of Harriman, was chosen to obtain the dividend collections.

Two checks, both dated December 17, 1909, and each made out to Goodrich in the sum of \$5,000, were identified by Niles as having been issued by him. On the back of each was the notation "Part to F. H. Niles."

"That means that part of the money was paid to Ira G. Rawn," added Niles. "On the back of a check issued to Goodrich for \$2,750 was the notation 'Part to F. H. Niles.'"

"The initials are those of Frank B. Harriman," explained Niles. "Attorney Fisher showed two checks to Niles for a total of \$11,420, both being made payable to 'Currency.' On the back of one of them, which called for the payment of \$10,000, was written 'Part to G. E.'"

"Harriman asked me to get as much currency as possible for Rawn," said Niles. "While I was asked to get the currency I thought they would let me have."

"Was Rawn's share of the dividends all in currency?" he was asked. "It was part of it," he answered. "I got about \$11,000 in currency on one occasion and gave it to Harriman at the Railway Exchange Bank. Most of the money was in \$100 bills."

"Did Harriman ever ask you to buy any securities?" "He asked me one time to get some bonds for himself," Niles said, "and he wanted bonds issued by Morris & Co. I failed to Harriman in regard to this, but he later bought twelve bonds of that company."

"I bought the Morris bonds and delivered them to Harriman personally. It is my recollection that I delivered the Illinois Central bonds to Mr. Harriman's home."

Niles did not testify as to the amount of money paid for the bonds, but it was later learned that he bought twelve \$100 Illinois Central bonds.

Another revelation made by Niles was to the effect that the books of the company were destroyed in 1909.

Cardinal Visits Prisoners. Vannutelli Gives the Pope's Blessing in Montreal Jail.

MONTREAL, Sept. 7.—Blessing being given at the many social functions which formed the program of the Cardinal's visit to the Province of Quebec, the Cardinal visited the prisoners in the Montreal Jail.

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## ANOTHER KILLED AS BURGLAR

SHOT AS HE CLIMBED HIS OWN FIRE ESCAPE.

Had Forgotten His Key and Was Unable to Arouse Family—Man Who Did the Shooting Had Been Robbed and Was on Watch for Night prowlers.

Samuel Davis, a carpenter, died early yesterday morning, the most dangerous thing that he had done in his life. He was shot as he climbed his own fire escape. He had forgotten his key and was unable to arouse his family. The man who did the shooting had been robbed and was on watch for night prowlers.

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# LONG ISLAND RAILROAD

## TRAINS INTO THE HEART OF MANHATTAN, COMMENCING TO-DAY

The New Tunnels Under the East River Open for Traffic To-Day, Enabling Travellers for Long Island, "The Home and Playground of the Metropolis," to Go Direct From the Heart of New York City to Any Point Upon Long Island at a Saving of Time—Approximately Twenty Minutes.

**RUNNING TIME**  
The running time from the Pennsylvania Station, Seventh Avenue and Thirty-second Street, to Jamaica, will be only a few minutes longer than the present time from Long Island City to Jamaica. This saves the time required to reach and cross the ferry, besides the added convenience of riding through without these changes.

**THE NEW STATION**  
Long Island Railroad passengers entering New York City will be taken direct into the Pennsylvania Station; entrance and exits on Thirty-fourth Street and on Thirty-third Street, near Seventh Avenue. This station is the largest and handsomest in the world. Passengers then find themselves in the centre of the Manhattan shopping district and in close proximity with the leading hotels, clubs, restaurants and places of amusement.

**FOR THE HOME AND PLEASURE-SEEKER**  
Long Island is now at your door. It offers more to homeseekers than any other suburban section. Its ocean and sound bound shores present in various forms of beauty recreation opportunities to be had nowhere else in this land. Its bathing beaches are superb. Its harbors afford excellent yachting pleasures. It has hundreds of clubs. It has golf links, some of them the most prominent in the country—in fact, is blessed with everything that appeals to sportsmen. Its social environments are ideal. It has fine churches, first-class schools, and boasts all the essentials of high-class home conditions.

## PLAYERS FELL UNDER TABLES

When Ceiling Fell in Billiard Room Major Wheeler Hurt.

When the metal ceiling in George E. Slosson's billiard room, which occupies the entire second floor of 942 to 948 Broadway, next door to the Hotel Bartholdi, began to sag toward the floor yesterday afternoon most of the twenty or more occupants of the northern end of the large room dived under the heavy billiard tables. The players had hardly taken cover when a section of the metal ceiling fell, bringing several thicknesses of lathing with it.

Major Dunham Wheeler, who is an architect living at 129 East Twenty-seventh street, was caught under the debris. His scalp was badly lacerated and his shoulder bruised. Mr. Slosson, who is a man of the same build as under which the Major sought shelter, dragged the injured man into the entrance way from beneath a part of the ceiling which hung like a lean-to over the tables.

Several others crawled out the same way and then it was learned that Harry Solomon and Edward Newman, two clerks working in the Broadway, were missing. A hunt was started, but the falling ceiling could not be moved and it was thought that the two young men were pinned in the debris.

A fire alarm brought the fire department and the firemen were sent to work clearing away the ruins in a search for bodies.

Who is it that's buried? Harry Solomon asked Slosson as they stood in the hall waiting the firemen. Slosson turned around, looked at him and Eddie Newman, standing near by, and then told them to leave the job for the carpenters next week. Solomon and Newman had escaped from the debris on the south side of the room and had not time in getting to a fire escape on the Twenty-second street side of the building. They had several other occupants of the building were injured, but Major Wheeler was the only one thought to be seriously hurt. He was taken to the New York Hospital.

On the top floor of the two-story and basement building where the accident occurred, there are some galleries from the main galleries on Twenty-third street. A new floor was being put down in these galleries and it is believed that the constant hammering of the carpenters loosened the lathing to which the metal ceiling was nailed.

There also, Pauline Cohen came running in a nightgown and with her feet in bed slippers, after a voice over the telephone had told her brutally that her lover was dead and that his body was in the station. The young woman leaped hysterical when she saw the body of her lover, with bullet wounds in breast and neck.

Guarrato was arrested on a technical charge of homicide, but investigation of his story merited his release.

## FIFTEEN TUMBLES HARD.

Farman Had Nothing But a Crude Device of Bumping and Parading.

NEWARK, N. J., Sept. 7.—Convinced by the achievements of others that flying was only too easy, Hans Christian, a farmhand employed by Charles Fleming on the River road, near this place, rigged himself up with wings-to-day and jumped from the roof of the barn. He had a fall of twenty feet and was badly shaken up, but will get over it.

Christian tied bags to his arms and fastened a parasol over his head and thought he could surely fly then. Nobody was about when Christian made the leap and he lay unconscious for some time before his employer found him in the grass by the roadside.

## WILL NAME JUDGE BALDWIN.

Connecticut Democrats Expected to Make Nomination Unanimous.

NEW HAVEN, Sept. 7.—There wasn't any doubt in the minds of the managers of the canvass of the Hon. Simon E. Baldwin to-night that he would receive the nomination for Governor to-morrow from the Democratic State convention.

The preliminary session of the convention was held to-night in Music Hall and John S. Seymour of South Norwalk was the temporary chairman. He made a long speech devoted largely to an attack on the Republican party for its tariff bill and charging that party with the present high cost of living.

He also said that an unjust system of representation in the General Assembly prevailed in this State, declaring that there is entrenched wrong when "two chore hands in the town of Union, Conn., have more political power than the entire faculty of Yale College."

Mr. Seymour, in closing, said that undoubtedly the choice of the convention for Governor would be Simon E. Baldwin. These minutes cheering followed this announcement.

Former Governor Waller was expected at the head of the New London delegation at the convention to-night. He failed to appear, however